

IN THE  
Court of Appeal of the State of California

IN AND FOR THE  
Fifth Appellate District

**COURTROOM PROCEEDINGS**

The court met in its courtroom at 10:00 A.M. Present: Honorable Thomas A. Harris, Acting Presiding Justice; Honorable Herbert I. Levy, Associate Justice; Honorable Betty L. Dawson, Associate Justice; and Leisa Biggers, Clerk/Administrator, by Joe G. Lopez, Senior Deputy Clerk.

**F046175      Vasquez v. Pandol Bros., Inc., et al.**

Cause called and argued by Steven P. Scandura, Esq., counsel for appellant and by Jeffrey B. Smith, Esq., counsel for respondents.

Cause ordered submitted.

Court recessed until Tuesday, October 11, 2005 at 1:30 P.M.

The court reconvened in its courtroom at 1:30 P.M. Present: Honorable James A. Ardaiz, Presiding Justice; Honorable Thomas A. Harris, Associate Justice; Honorable Herbert I. Levy, Associate Justice; and Leisa Biggers, Clerk/Administrator, by Robert Abilez, Senior Deputy Clerk.

**F044457      Mendiola et al. v. Lang**

Cause called and argued by Stephen R. Cornwell, Esq., counsel for appellants and by Todd W. Baxter, Esq., counsel for respondent.

Cause ordered submitted.

At this point Ardaiz, P.J. directs Vartabedian, Acting P.J. to act as Presiding Justice in his absence and leaves the bench with Levy, J.; they are replaced by Vartabedian, Acting P.J. and Dawson, J.

**F045914      Coburn et al. v. Sievert; California Medical Association et al.**

Cause called and argued by Gary L. Huss, Esq., counsel for appellants and by George L. Strasser, Esq., counsel for respondent and by Kim L. Nguyen, Esq., counsel for amicus.

Cause ordered submitted.

Court recessed until Wednesday, October 12, 2005 at 1:30 P.M.

IN THE

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IN AND FOR THE

Fifth Appellate District

**F047207      People v. Diaz**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F047027      People v. Diaz**

The conviction and sentence imposed for count II is reversed. In all other respects, the judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F048446      Regina R. v. Superior Court of Fresno County; Fresno County Department of Children & Family Services**

The petition for extraordinary writ is denied. This opinion is final forthwith as to this court.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F046068      People v. Washington**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F046068      People v. Washington**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F046981      People v. Peters**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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**F046981      People v. Peters**

The trial court is directed to correct the abstract of judgment to note appellant's conviction under Penal Code section 12022, subdivision (a) was for attempted possession of a billy club and to forward the amended abstract of judgment to the appropriate authorities. The judgment is otherwise affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F046843      People v. Davis**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F046843      People v. Davis**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F044183      People v. Salomon et al.**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.